

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JASON AMICO,

Plaintiff,

v.

IDALBERTO ZALDIVAR-GALVES,

Defendant.

Case No. 1:22-cv-01499-SAB (PC)

ORDER DISCHARGING ORDER TO
SHOW CAUSE ISSUED ON FEBRUARY
15, 2023

(ECF No. 14)

Plaintiff Jason Amico is proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983.

On January 5, 2023, the Court found that service of the first amended complaint was appropriate as to Defendant Doctor Idalberto Zaldivar-Galves for deliberate indifference in violation of the Eighth Amendment, and electronic service was ordered, which directed the California Department of Corrections and Rehabilitation (CDCR) to “file with the Court the ‘CDCR Notice of E-Service Waiver’ advising the Court which defendant(s) ... will be waiving service of process without the need for personal service by the United States Marshal.” (ECF No. 12, Order at 2:15-17.) When CDCR did not return the Notice of E-Service waiver within the 40-day time period, the Court issued an order for CDCR to show cause on February 15, 2023. (ECF No. 14.)

It has come to the Court’s attention that the January 5, 2023, service order was inadvertently not served on CDCR. To remedy the error, on February 16, 2023, the Court re-

1 served the service order on CDCR, which allows CDCR forty days thereafter to respond.
2 Accordingly, it is HEREBY ORDERED that the Court's February 15, 2023, order to show cause
3 is HEREBY DISCHARGED.

4
5 IT IS SO ORDERED.

6 Dated: **February 27, 2023**


UNITED STATES MAGISTRATE JUDGE